

REFERENCE TITLE: employees; eligibility; verification

State of Arizona
Senate
Forty-eighth Legislature
First Regular Session
2007

SB 1421

Introduced by
Senator Garcia

AN ACT

AMENDING TITLE 23, CHAPTER 2, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 23-204; MAKING AN APPROPRIATION; RELATING TO EMPLOYMENT PRACTICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 23, chapter 2, article 1, Arizona Revised Statutes,
3 is amended by adding section 23-204, to read:

23-204. Verification of employees: civil penalties: verified employee enforcement fund

6 A. WITHIN THIRTY DAYS OF HIRING AN EMPLOYEE, EVERY EMPLOYER IN THIS
7 STATE SHALL VERIFY THE EMPLOYEE'S EMPLOYMENT ELIGIBILITY THROUGH ANY OF THE
8 FOLLOWING PROGRAMS:

9 1. THE SOCIAL SECURITY NUMBER VERIFICATION PROGRAM AS ADMINISTERED BY
10 THE SOCIAL SECURITY ADMINISTRATION.

11 2. THE BASIC PILOT EMPLOYMENT VERIFICATION PROGRAM AS JOINTLY
12 ADMINISTERED BY THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY AND THE
13 SOCIAL SECURITY ADMINISTRATION.

14 3. ANY OTHER EMPLOYEE VERIFICATION PROGRAM THAT IS ADMINISTERED BY THE
15 FEDERAL GOVERNMENT OR THIS STATE.

16 B. AN EMPLOYER THAT VIOLATES SUBSECTION A OF THIS SECTION IS SUBJECT
17 TO A CIVIL PENALTY OF UP TO FIVE THOUSAND DOLLARS FOR EACH VIOLATION.

18 C. THE ATTORNEY GENERAL SHALL ENFORCE THIS SECTION. THE ATTORNEY
19 GENERAL MAY IMPOSE AND COLLECT THE PENALTIES AND SHALL DEPOSIT ANY
20 COLLECTIONS IN THE VERIFIED EMPLOYEE ENFORCEMENT FUND ESTABLISHED BY
21 SUBSECTION D OF THIS SECTION.

22 D. THE VERIFIED EMPLOYEE ENFORCEMENT FUND IS ESTABLISHED CONSISTING OF
23 MONIES APPROPRIATED BY THE LEGISLATURE AND CIVIL PENALTIES COLLECTED PURSUANT
24 TO THIS SECTION. THE ATTORNEY GENERAL SHALL ADMINISTER THE FUND. MONIES IN
25 THE FUND SHALL BE USED BY THE ATTORNEY GENERAL TO ENFORCE THIS SECTION.
26 MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED AND ARE EXEMPT FROM THE
27 PROVISIONS OF SECTION 35-190 RELATING TO LAPSE OF APPROPRIATIONS.

Sec. 2. Appropriation; verification of employees; exemption

29 A. The sum of \$500,000 is appropriated from the state general fund in
30 fiscal year 2007-2008 to the verified employee enforcement fund established
31 by section 23-204, Arizona Revised Statutes, as added by this act, for the
32 purposes prescribed in this act.

33 B. The appropriation made in subsection A of this section is exempt
34 from the provisions of section 35-190, Arizona Revised Statutes, relating to
35 lapsing of appropriations.